



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

**REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
JULY 17, 2001
9:00 A.M.**

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Paul Joseph Escobar, Luis G. Sariñana and Anthony Cobos. Absent: None. Meeting was called to order and the invocation was given by Reverend Ronald Fox, Valley View Baptist Church, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

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Motion made by Representative Medina, seconded by Representative Sariñana, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.
(Items approved under Consent Agenda will be shown with an asterisk {*}).

Representatives Sumrall, Escobar and Cobos were not present for the Consent Agenda vote.

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*Motion made, seconded and unanimously carried to approve the Minutes for Regular City Council Meeting of May 22, 2001.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Industrial Site Lease between the City of El Paso, Texas (Lessor) and Enterprise Rent-A-Car (Lessee), for the following property: Lot 3, Block 1B, El Paso International Airport Tracts, City of El Paso, El Paso County, Texas, containing 33,200 square feet of land, commonly known as 6400 Convair Road.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the Contract by and between the City of El Paso and United Cerebral Palsy of Texas in the amount of \$75,000.00 to provide an Architectural Barrier Removal Program for manufactured housing. This is a 26th Year (2000-2001) Community Development Housing Project.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Assignment of Contract between the City of El Paso and EP Park Hills II, LTD., successor in interest to Park Hills Joint Venture, to allow for the assignment of the Contract executed November 25, 1997, between the City of El Paso and Parkhills Joint Venture to Chaparral Park Unit Thirty Nine Property Owners Association for the improvement and maintenance of street medians within Chaparral Park, Unit 39, El Paso, El Paso County, Texas.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a TSLAC grant application and related documents for a Technical Assistance Negotiated Grant (TANG) between the Texas State Library Archives Commission and the City of El Paso for the term of September 1, 2001, through August 31, 2002. The total amount of the Grant Application is \$69,981. The funds will be used for automation/technology assistance to enable the El Paso Public Library and member libraries of the Texas Trans-Pecos Library System to use and maintain information resource technology. No City matching funds are required.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000/2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

AQUATICS

NO. 010281, SUB-OBJECT 201011

1. CONTRACTOR: Border Swimming, Provide Officials for Summer Swim Meets
DATES: July 17, 2001, thru July 31, 2001
RATE PER MT: \$300.00
MAXIMUM AMT: \$1,200.00
CONTRACT: 2000/2001-221

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000-2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

AQUATICS

NO. 010281, SUB-OBJECT 201011

1. CONTRACTOR: Ruby Cobos, Lifeguard I, Step 1
DATES: May 15, 2001, thru September 30, 2001
2. REGULAR COUNCIL MEETING - JULY 17, 2001

RATES PER HR: \$6.00
CONTRACT NO: 2000/2001-321

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following rental contract for space in the El Paso Museum of Art. Licensee is requesting permission to serve alcohol in the premises.

Event: Reception
Licensee: Court Appointed Special Advocates
Date: October 4, 2001
Time: 6:00 p.m. - 8:00 p.m.
Charge for Space: \$1,200.00
Charge for Staff (est.): \$340.00
Charge for Insurance: \$40.00
Area(s): Special Events

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Traffic Signal Agreement between the CITY OF EL PASO and SOCORRO INDEPENDENT SCHOOL DISTRICT for the installation of school flasher equipment on Zaragoza Road at Charles R. Schulte Drive near Lujan Chavez Elementary School and Sunridge Middle School.

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*Motion made, seconded and unanimously carried to accept Sageland Addition Unit Four, Replat A (SD96060) as recommended by the City Plan Commission with requirement for sidewalks for all streets abutting the subdivision.

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*Motion made, seconded and unanimously carried that the street and drainage improvements in the following subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Subdivision: Vista Del Sol Unit One Hundred Fifty Six

Street Improvements:

David Bret Drive - from the easterly property line of Lot 55, Block 571, Vista Del Sol Unit 151, to the intersection of Loma Verde Drive.

Drainage Improvements:

Ponding Area - at Lot 1, Block 578; with a 1.892 ac. area and a 17.02 ac-ft. Capacity; 1123.0 ft. x 6.0 ft. high of Rockwall Fence; with an 18.0 ft. Double Swing Wrought Iron Gate; 126.0 ft. of 36.0" R.C.P.; 80.0 ft. of 24.0" R.C.P.; 1-6 Grate Drop Inlet Type I; 1-1 Grate Drop Inlet Type III; 1 - Junction Box/48.0" Manhole; and 2 - Thrust Block Structures.

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*Motion made, seconded and unanimously carried to approve the request to fill positions on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

- A. Secretary I (1)
- B. Transit Information Clerk (1)

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*Motion made, seconded and unanimously carried to approve the following provisional appointment(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

- A. Electrician (1)
- B. Labor Foreman I (1)
- C. Police Records Unit Supervisor (1)
- D. Bid Clerk, Purchasing (1)

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*Motion made, seconded and unanimously carried to re-appoint Henry Jurado to the Twelve Travelers Review Committee by Representative Escobar.

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*Motion made, seconded and unanimously carried to appoint Frank Gorman, Jr. to the History Museum Board by Representative Sumrall.

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*Motion made, seconded and unanimously carried to appoint Dr. Sergio Ibarra to the FMS Medical Policy Board requested by Representative Power.

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*Motion made, seconded and unanimously carried to award Bid No. 2001-180 Earth Saw

Award to: Ditch Witch Sales and Service El Paso
El Paso, Texas
Item: 1 with Optional Items O1, O2, O3, O4, O5, O6
Amount: \$105,736.96

Department: Street
Funds available: 102009-208008-540009
Funding source: FY1999 Contractual Obligations
Total amount: \$105,736.96

The Street, Equipment Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties. A lower bid was received but did not meet specifications as detailed in the backup.

This is a fixed-price, single (one-time) purchase, to purchase one (1) Earth Saw. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within ninety (90) days from the date of award of the contract. No prompt payment discount is offered.

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*Motion made, seconded and unanimously carried to award Bid No. 2001-214 Hydraulic Lifts

Award to: Martin Tire Co.
El Paso, Texas
Item: 1 & 2
Amount: \$15,900.00

Department: Equipment Maintenance
Funds available: 250201-208004
Funding source: Certificate of Obligations, 2001

Total amount: \$15,900.00

Equipment Maintenance Department and Purchasing recommend awards as indicated as this vendor is the responsible and responsive bidder meeting specifications.

This is a one time purchase.

Low bid submitted by Checker Auto Parts did not meet all the specifications for installation.

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*Motion made, seconded and unanimously carried to award Bid No. 2001-224 Road Striping Units

Award to: EZ-Liner Industries
Orange City, Iowa
Item: 1 with Optional Items O4, O5, O6, O7
Amount: \$92,979.70
Department: Street
Funds available: 102008-208006-540008
Funding source: FY1998 Contractual Obligations
Total amount: \$92,979.70

The Street, Equipment Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties. A lower bid was received but did not meet specifications as detailed in the backup.

This is a fixed-price, single (one-time) purchase, to purchase two (2) Road Striping Units. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within one hundred and eighty (180) days from the date of award of the contract. No prompt payment discount is offered.

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*Motion made, seconded and unanimously carried to award Bid No. 2001-238 Proprietary Parts & Service - Komatsu

Award to: Road Machinery Co.
El Paso, Texas
Item: All
Amount: \$15,000.00 (estimated annually)
Department: Equipment Maintenance
Funds available: 370510-230121
Funding source: Equipment Maintenance Internal Service Fund
Total amount: \$15,000.00

The Equipment Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for one (1) additional year if the option is exercised within two (2) years from the date of the award.

This is a Requirements Type Contract with an initial term of Thirty Six (36) months.
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*Motion made, seconded and unanimously carried to award Bid No. 2001-241 Hose Reels

Award to: Bamco Inc. dba Kessel's Pump Svc
El Paso, Texas
Item: All
Amount: \$18,399.07

Department: Equipment Maintenance
Funds available: 250201-208004
Funding source: Certificate of Obligations, 2001
Total amount: \$18,399.07

Equipment Maintenance Department and Purchasing recommend awards as indicated as this vendor is the responsible and responsive bidder meeting specifications.

This is a one time purchase.

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*Motion made, seconded and unanimously carried to award Bid No. 2001-244 Vehicle Washing

Award to: Vintage Car Wash
El Paso, Texas
Item: All
Amount: \$30,000.00 (estimated annually)

Department: Equipment Maintenance
Funds available: 370510-203125
Funding source: Equipment Maintenance Internal Service Fund
Total amount: \$30,000.00
District(s): All

The Equipment Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a Requirements Type Contract with an initial term of Thirty Six (36) months.

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*Motion made, seconded and unanimously carried to award Bid No. 2001-254 Pak-Mor Proprietary Parts

Award to: Pak-Mor Manufacturing Company
San Antonio, Texas
Item: All
Amount: \$50,000.00 (estimated annually)

Department: Equipment Maintenance
Funds available: 370510-203121
Funding source: Equipment Maintenance Internal Service Fund
Total amount: \$50,000.00

The Equipment Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a Requirements Type Contract with an initial term of Thirty Six (36) months.

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*Motion made, seconded and unanimously carried to award Bid No. 2001-255 Vehicle Decals

Award to: IMS Industries, Inc. El Paso, Texas
Item(s): All
Amount: \$15,000.00 (Estimated Annually)

Department: Equipment Maintenance
Funds available: 370510-203121
Funding source: Equipment Maintenance Internal Fund
Total amount: \$15,000.00 (Estimated Annually)

The Equipment Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

The Vendor offers the City the option to extend the term of the Contract , at the same unit price, for two (2) additional years, if the option is exercised within two (2) years from the date of the award.

The Vendor also offers the City a prompt payment discount of 2% 20 days.

This is a Requirements Type Contract with an initial term of Thirty Six (36) months.

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*Motion made, seconded and unanimously carried to approve Change Order No. 6 (Scope Change) to JAR Concrete for "Extension of Runway 4-22 and Taxiway "J" Extension - AIP Project No. 3-48-0077," for an increased amount of \$41,059.60 to remove and replace the existing RVR (Runway Visual Range) equipment, as per FAA plans and scope of work.

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*Motion made, seconded and unanimously carried to approve Change Order No. 28 (Construction Change) to Silverton Construction Company, Inc. for "San Jose Road Street & Drainage," for an increased amount of \$34,060.00 to replace irrigation structures at irrigation crossing station 16+70 on San Jose Road; relocate trees, irrigation ditch & pipe at 7948 San Jose; relocate fences encroaching with City R.O.W. at 7875 Rosemary Lane & at 7866 San Jose; remove two (2) trees mature at ponding area; and adjust driveways along San Jose Road.

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*Motion made, seconded and unanimously carried to approve Change Order No. 29 (Construction Change) to Samcorp General Contractors, Inc. for "Convention Center Expansion and Modernization Project," for an increased amount of \$120,802.00 for the following changes: concrete topping color/slurry mix; roof drains area C; hot and cold water lines toilets C105, 107; plumbing rooms C112, H126; credit for deletion of steel angle; high roof parapet flashing; water drains for AHU 12 and AHU 13; electrical overhead doors in area "C"; lights for upper flying wings; lights for lower flying wings; lights exterior soffit; taper roof building "C"; access panels in "D", exit lights "G" and "H"; and hydronic lines supports.

Additionally, it is requested that the Mayor be authorized to execute budget transfer for this change order and project as necessary.

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*Motion made, seconded and unanimously carried to approve budget transfer BT2001-648 AIRPORT

To provide funding for the design of a grading plan for pad sites for future commercial use utilizing excess earth from on-going construction projects at EPIA.

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|----------|----------|----|----------------------|----------------|
| Increase | \$ 250 | to | 620026/AP0018/202205 | Legal Notices |
| Increase | \$ 1,000 | to | 620026/AP0018/202302 | Print Shop Chg |
| Increase | \$ 500 | to | 620026/AP0018/202304 | Mail Room Chg |

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|----------|-----------|----|----------------------|-------------------------|
| Increase | \$198,250 | to | 620026/AP0018/208027 | CWIP Construction |
| Increase | \$200,000 | to | 620026/AP0018/107001 | Intra fund Transfer In |
| Increase | \$200,000 | to | 620018/500002/107002 | Estimated Revenue |
| Increase | \$200,000 | to | 620018/500002/207001 | Intra fund transfer out |

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 *Motion made, seconded and unanimously carried to approve budget transfer BT2001-649 AIRPORT

To provide funding for Fixed Base Operators (General Aviation) ramp at EPIA.

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|----------|-----------|----|----------------------|-------------------------|
| Increase | \$ 250 | to | 620024/AP0019/202205 | Legal Notices |
| Increase | \$ 1,000 | to | 620024/AP0019/202302 | Print Shop Chg |
| Increase | \$ 500 | to | 620024/AP0019/202304 | Mail Room Chg |
| Increase | \$348,250 | to | 620024/AP0019/208027 | CWIP Construction |
| Increase | \$350,000 | to | 620024/AP0019/107001 | Intra fund Transfer In |
| Increase | \$350,000 | to | 620018/500002/107002 | Estimated Revenue |
| Increase | \$350,000 | to | 620018/500002/207001 | Intra fund transfer out |

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 *Motion made, seconded and unanimously carried to approve budget transfer BT2001-657 FIRE

To establish grant number LEPC 220103.

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|----------|----------|----|----------------------|----------------------|
| Increase | \$ 6,000 | to | 150024/220103/203123 | Public Safety Equip |
| Increase | \$ 6,000 | to | 150024/220103/106001 | State Grant Proceeds |

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 *Motion made, seconded and unanimously carried to approve budget transfer BT2001-658 MUSEUM OF ART

Appropriate donated funds for purchase of Joseph Havel Work.

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|----------|----------|----|----------------------|----------------|
| Increase | \$ 4,500 | to | 154001/540006/105060 | Donations |
| Increase | \$ 4,500 | to | 154001/540006/208011 | Cultural Works |

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 *Motion made, seconded and unanimously carried to approve the request of Guadalupe "Wally" Acuña to use amplification (1 Peavey Sound System, 2 speakers, 2 microphones) at Yucca Park on July 26, 27 & 28, 2001 from 7:00 p.m. to 10:00 p.m. Approximately 20 persons will participate and 100 spectators are anticipated. PERMIT NO. 01-092

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 *Motion made, seconded and unanimously carried to postpone one (1) week the request of Presidencia Municipal, Juarez, Chih./Urbano Zea to hold a foot race on September 9, 2001 from 9:00 a.m. to 11:00 a.m. Route: Enter El Paso via Santa Fe Bridge and proceed on El Paso Street, right on San Antonio, right on Stanton and return to Juarez via the Stanton bridge. Approximately 2,500 persons and 5 automobiles will take part and 1,500 spectators are anticipated. PERMIT NO. 01-078

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 *Motion made, seconded and unanimously carried to approve the request of National Night Out to block off Manuel Drive between Kilber and Akron on August 7, 2001 from 6:00 p.m. to 10: p.m. 50 spectators are anticipated. PERMIT NO. 01-084

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 *Motion made, seconded and unanimously carried to approve the request of VIVA Environmental, Inc. to block of Stiles between Bucher and Dodge Road on July 20, 2001 from 7:30 a.m. to 5:00 p.m. for a block party. Approximately 300 persons and 150 vehicles will take part and 300 spectators are anticipated. This request includes permission to use amplification (1 microphone, 2 speakers). PERMIT NO. 01-090

ORDINANCE 14891

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACTS 3 AND 4, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, (AT SAUL KLEINFELD DRIVE AND ROBERT WYNN STREET) FROM Q/SC/SP QUARRY/SPECIAL CONDITIONS/SPECIAL PERMIT) TO A-2/SC (APARTMENT/SPECIAL CONDITIONS), AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Mr. Rudy Valdez, Chief Urban Planner, explained the proposed zoning change and noted that the City Plan Commission unanimously approved the change. He stated that one letter was submitted in opposition to the case. He explained that the quarry is just east of this property.

Representative Sumrall asked if the applicants were required to do any additional environmental studies due to the property previously zoned for quarry use. The response was negative.

Representative Sariñana questioned the meaning of "quarry" zoning.

Mr. Valdez explained that this zoning permits excavation.

Motion duly made by Representative Power, seconded by Representative Cook that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 14892

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF PORTIONS OF TRACTS 2-5C7 AND 2-5C8, BLOCK TWO, ASCARATE GRANT, (6375 MONTANA AVENUE) FROM A-1/SP (APARTMENT / SPECIAL PERMIT) TO C-2 (COMMERCIAL). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Mr. Rudy Valdez, Chief Urban Planner, explained the proposed zoning change.

Motion duly made by Representative Medina, seconded by Representative Sariñana that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 14893

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN, ON BEHALF OF THE CITY FOR THE EL PASO WATER UTILITIES PUBLIC SERVICE BOARD (PSB), A SPECIAL WARRANTY DEED CONVEYING TO CAVALIER INVESTMENT COMPANY, INC., A 0.10- ACRE PARCEL OF PSB LAND, MORE PARTICULARLY DESCRIBED AS A PORTION OF TRACT 4B, A. F. MILLER SURVEY NO. 215, AND A PORTION OF TRACT 3B, A. F. MILLER SURVEY NO. 216, LOCATED IN WEST EL PASO OFF NORTH MESA STREET, EL PASO, EL PASO COUNTY, TEXAS.**

Representative Medina asked for further information on this item.

Mr. Mike Spurlock, attorney representing the Public Service Board, explained that this is an exchange of land and that the City owns land near the intersection of Festival and Mesa. He remarked that the City will exchange land for the land owned by Cavalier Investment Company, Inc. This exchange would allow the PSB to install new storage facilities.

Representative Cook asked if this was an even trade.

Mr. Spurlock stated yes and that the property was advertised as either for sale or exchange.

Motion duly made by Representative Sumrall, seconded by Representative Sariñana that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a Sixth Amendment to Contract between CATHOLIC MEDIA MINISTRIES OF EL PASO, INC., and the CITY OF EL PASO, a home-rule municipal corporation, amending the Contract imposed by Ordinance No. 005029 dated 20 March 1973, said Contract amended on 19 August, 1980, released and further amended by separate contract and release on 1 February 1983, amended further on 30 January 1990, and amended further on 15 April 1997, for the property now described as a portion of Tracts 4A, 4D, 4D1, Block 12, YSLETA GRANT, in El Paso County, Texas as further described in Exhibit "A" to said Fifth Amendment. (Exhibit on file with the Resolution in the City Clerk's office).

Mr. Rudy Valdez, Chief Urban Planner, stated for the record, that a letter of opposition was received and the letter had 10 signatures.

Motion made by Representative Escobar, seconded by Representative Cook and unanimously carried to approve the above Resolution.

Representative Medina was not present for the vote.
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RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. DP-01007, FOR ALL OF LOT 1, BLOCK 1, U-HAUL SUBDIVISION, EL PASO, EL PASO COUNTY, TEXAS (8833 DYER STREET), PURSUANT TO SECTION 20.04.140 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, **U-Haul International** (the "Applicant") has applied for approval of a detailed site development plan pursuant to Section 20.04.140 (Zoning) of the El Paso Municipal Code, to permit the construction and development of a self-storage warehouse facility;

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to Section 20.04.150 of the El Paso Municipal Code, the City Council hereby approves the detailed site development plan submitted by the Applicant, to permit the construction and development of a self-storage warehouse facility on the following described property which is located in a **C-3 (Commercial) District**:

All of Lot 1, Block 1, U-HAUL SUBDIVISION, municipally known and numbered as 8833 Dyer Street.

A copy of the approved detailed site development plan, signed by the Applicant, the Mayor and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "A" and incorporated herein by reference.

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **C-3 (Commercial) District** regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **C-3 (Commercial) District** regulations. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Mr. Rudy Valdez, Chief Urban Planner, explained the proposed Site Plan and stated that the owner of the existing U-Haul Rental Service is wishing to expand to allow for Self-Storage facilities. The City Plan Commission recommended unanimous approval.

Motion made by Representative Rodriguez, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

Representative Medina was not present for the vote.

Presentation was made by the General Services Administration on a proposal to construct a new federal courthouse within the Downtown Area of El Paso, and identifying a recommended site option for the courthouse construction. No action was taken.

Mr. Rudy Valdez, Chief Urban Planner, explained that this is a proposal by the General Services Administration to build a new Federal Courthouse building to be located between Campbell St. and Ochoa St. and also Magoffin and Myrtle Avenues.

Ms. Shelly Williams, GSA's Capital Investment team, explained that planning for the project has been underway for a long time. She stated that President Bush has included funding for the site acquisition and design for a new Federal Courthouse in downtown El Paso. The project is currently under review at Congressional Committees. Ms. Williams referred Council Members to a handout for their perusal. She stated that the Courthouse will house U. S. District Courts, the District Clerk, U.S. Marshals Service. She then explained the square footage and noted the Courthouse will contain 11 courtrooms and 13 court Judge's Chambers. She explained the time frame for the project and stated that she is excited about the project and is looking forward to working with the City to make it a success.

Representative Sariñana asked if it was normal procedure to take two years to design the project.

Ms. Williams stated yes it does and explained that due to the project's size and scope it would take this long.

Representative Sariñana questioned the length of time for the construction.

Ms. Williams explained that this is a three year construction with a lot of demolition required. She remarked that normally there is a two year design window and three years for the construction, depending on the size of the building. She reiterated that this project has more demolition than usual.

Representative Cook complimented the GSA on preserving the historic church on the corner of Campbell and Myrtle and the Courthouse. He explained that these historic buildings have been torn down in the past. He asked if arrangements have been made regarding the parking space located at the Southwestern Bell building.

Ms. Williams explained that during the negotiation period for acquisition of the land, this matter would be taken care of. She stated that the GSA wanted the Council Members approval prior to notifying any property owners.

Representative Sumrall asked Ms. Williams to please thank all those who made the decision to bring this to El Paso.

Representative Medina remarked this is excellent news for Downtown El Paso and asked that consideration be taken regarding extra space, floors and parking needs. He suggested working with the County to provide funding for additional parking and/or a parking building

Ms. Williams remarked that the budget does not allow for the construction an additional structure for this at the moment; however, the GSA would consider all aspects.

Mayor Raymond Caballero remarked that this is the third Federal Courthouse built in the City. He commended Congressmen Reyes, Gramm and Hutchinson and all individuals involved with the project. He explained that this is the first step and hopes there are not any obstructions on the way to making this a reality. He noted that he spent his formative years in the Courthouse, as an Assistant U. S. Attorney.

Representative Escobar would like to see if a museum could be displayed in the old Courthouse. He stated that it would be great to have photographs of the old buildings during construction phases, and old photographs of Judges as this would be a great tourist attraction. He asked if the parking would be secured for employees and Judges.

Ms. Williams responded that this is a good question; however, the details of who would be parking there have not been set down yet. She explained that there would be basement parking for Judges and the U. S. Marshall's service for prisoner movement.

Mr. Mike Breiting, Executive Director of Central Business Association and the Downtown Management District, remarked that he is very excited about the new Courthouse and is looking forward to working with the GSA representatives. He appreciates the Mayor's efforts on revitalization of Downtown El Paso.

Mayor Raymond Caballero commented that the City will always be judged by Downtown.

Mr. Breiting agreed and stated the Downtown reflects what the Community sees in itself.

Representative Medina asked Mr. Breiting to help facilitate communication with County, GSA and others especially regarding the parking needs. Mr. Breiting stated that he would.

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RESOLUTION

WHEREAS, the General Services Administration (hereinafter referred to as "GSA") is considering siting a new federal courthouse (hereinafter referred to as "Courthouse") within the El Paso Downtown Area that will allow for additional judicial chambers and courtrooms; and

WHEREAS, the existing federal courthouse, located at 511 E. San Antonio Avenue (legally described as *Block 216, CAMPBELL ADDITION, El Paso, El Paso County, Texas*), will continue to be used as office space for court-related agencies, and bankruptcy and other courtrooms; and

WHEREAS, the GSA has been working with the City to identify site options for the Courthouse and has selected and is proceeding with acquisition of *Blocks 217 and 218, CAMPBELL ADDITION, El Paso, El Paso County, Texas*, as shown in the attached and incorporated Exhibit "A" (hereinafter referred to as "Site"); and

WHEREAS, federal funding is proposed in the amount of \$11 million for site acquisition and design in FY 2002, construction funding in FY 2004, and completion in FY 2007; and

WHEREAS, GSA is requesting City demonstration of agreement for the proposed Courthouse site in order to proceed with site acquisition and engineering design; and

WHEREAS, GSA has been meeting with City staff to facilitate information regarding the Courthouse construction, and appeared before City Council on July 17, 2001 to brief the proposal;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS:

THAT the El Paso City Council hereby concurs with the proposal presented by GSA regarding construction of the new Courthouse at the preferred GSA Site as shown in Exhibit "A", and authorizes the Planning, Research & Development Department to coordinate the project aspects as requested with GSA

representatives and other City departments, and to provide timely updates to City Council of the project progress.

Motion made by Representative Cobos, seconded by Representative Sariñana and unanimously carried to approve the above Resolution.

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*Motion made, seconded and unanimously carried to delete the Annual Report to the Mayor and City Council from the Cable Communication Commission.

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Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to refer to the Personnel Legislative Review Committee the discussion that all members of the El Paso Police and Fire Departments have periodic and frequent drug and psychological testing. (Jorge De La Vega)

Representative Sariñana asked if this item might also be discussed at the Legislative Review Committee meeting.

Mayor Raymond Caballero asked Mr. De La Vega if he considered this item to be similar as the Citizens Police Review Board.

Mr. Jorge De La Vega responded no. He remarked that the citizens of El Paso need to know the integrity of the Police, Fire, EMS, etc. He explained that individuals in the Police, Fire, EMS should be subject to periodic and random drug and psychological tests. He asked that the results of these tests be made available to the public. He recommended a database/program which monitors, on a Statewide basis, and provides information to potential employers/employees who have demonstrated that they are in need of medical or psychological assistance.

Representative Sariñana recommended sending the item to Legislative Review Committee meeting.

Representative Sumrall pointed out that periodic drug testing is already being conducted. She stated that individuals must take a psychological test before hiring.

Representative Cobos asked if City employees are involved in a drug screening program.

Captain Greg Brickey, El Paso Police Department, explained that the Police Department has "drug testing for cause". There are contractual/constitutional issues which prevent systematic and random drug testing. He explained that psychological testing is performed only "for cause".

Ms. Terry Bond, Interim Director of Personnel, explained that the City does provide drug testing for positions which include driving in the job description. The City does provide pre-employment drug testing as well as random drug testing.

Representative Cobos recommended that the Personnel Legislative Review Committee review this matter. He stated that random drug testing is appropriate which adds confidence and trust with the citizens. He remarked that psychological testing would be a financial burden.

Representative Cook reiterated the remarks made by Captain Brickey and stated that this is a contractual issue; however, drug testing might be discussed during contract negotiations with the Police and Fire Departments.

Mayor Raymond Caballero responded that the issue would be brought up during those contract negotiation discussions.

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Ms. Rita Rodriguez, First Assistant City Attorney, clarified that the random drug testing is performed in safety sensitive positions granted by Federal law, it does not apply to all City employees.

Representative Cobos remarked that safety sensitive positions are monitored by the Personnel Department.

Ms. Rodriguez responded yes; however, with individuals who require certain types of licenses, the City is required to give random drug tests. She explained that this item could be discussed in either the Legal Legislative Review Committee or the Personnel Legislative Review Committee.

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Motion made by Representative Sumrall, seconded by Representative Cook and unanimously carried to refer to the Police Legislative Review Committee the discussion to form a Citizens Police Review Board. (Jorge De La Vega)

Mr. Jorge De La Vega, citizen, explained that he is trying to wipe away the negative perception of the Police, EMS and Fire personnel. He asked that there be fairness for all citizens and that the complaints filed with Internal Affairs be settled thoroughly and fairly. He noted that it looks as though the Police Department is hiding problems from the citizens. He mentioned that other Texas cities have a "Citizen's Police Review Board" and explained that the Committee oversees and monitors the actions of law enforcement agencies. He summarized by stating that it is time to have justice for all, no exceptions.

Representative Sumrall asked Mr. De La Vega what expertise does a citizen need to have to sit on the Citizens Police Review Board.

Mr. De La Vega responded that he would like citizens who are not associated with any branch of government, but would like to have citizens who do not have any economic, political or racial concerns.

Ms. D'Anne Smith, El Paso resident, explained that she has a very high respect for law enforcement agencies in the City. She stated that a Citizens Review Board would enable citizens to be assured that there is fair and equal treatment.

Representative Sumrall stated that she has serious reservations regarding this issue. She suggested sending this to Legislative Review. She reiterated that the Legislative Review Committee meetings are open to the public. Representative Cook seconded her Motion.

Mayor Raymond Caballero agreed with Representative Sumrall's suggestion. He stated that this is a serious issue and Council Members should discuss this at length.

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No action was taken regarding the discussion on Boards and Commissions. (Luisa Y. Maria Cristina Rivera)

Ms. Luisa Yepes, citizen, made comments in Spanish regarding the Boards and Commissions. Her name was listed incorrectly on the Agenda, it should have been listed as Luisa Yepes and Maria Cristina Rivera.

Ms. Maria Cristina Rivera, citizen, made comments in Spanish regarding the Boards and Commissions.

Mayor Raymond Caballero translated the comments. He explained that these two residents of public housing would like to make an appointment with him.

Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance permitting Cathedral High School Class of 1976 Reunion to use a portion of Galatzan Park from 2:00 PM until 8:00 PM on August 4, 2001. Fee: \$80.00
- B. An Ordinance permitting Dr. Donald Rathbun to use a portion of Tom Lea Upper Park from 6:00 PM until 8:00 PM on August 25, 2001. Fee: \$40.00
- C. An Ordinance amending Ordinance No. 014116, which established the Building and Zoning Advisory Committee (BZAC), to increase the number of candidate nominations to be submitted from each member organization.
- D. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking prohibited at all times on certain streets) to include Wyoming Avenue from the east curblin of Langtry Street to a point 60 feet east thereof, both sides. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code.
- E. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking prohibited at all times on certain streets) to include Wyoming Avenue from the west curblin of Langtry Street to a point 60 feet west thereof, south side only. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code.

PUBLIC HEARING WILL BE HELD JULY 31, 2001 FOR ITEMS A - E

- F. An Ordinance changing the zoning of Tract 61, RANGERS REST UNIT 3, (1259 Tower Trail) from P-I/sc (Planned Industrial/special conditions) to C-4/sc (Commercial/special conditions), and imposing certain conditions. The penalty being as provided in Section 20.68 of the El Paso Municipal Code. Applicant: Jose Luis Martin / Representative: Jaime Reyes; 1161 Kessler, El Paso, TX 79907. ZC-01027.
- G. An Ordinance granting Special Permit No. SU-01011 to allow for a Neighborhood Conservancy Overlay on all of Block 75, all of Lots 1 to 10 of Block 76, all of Lots 1 to 10 of Block 92, all of Blocks 93 through 94, all of Blocks 97 through 100, all of Blocks 106 and 113, all of Lots 1 to 10 of Block 114, all of Lots 1 to 10 of Block 127, all of Blocks 135, 136, 142, 143, 146, 147, 148, 149, 150 and 151, all of Lots 1 to 10 of Block 152, all of Lots 1 to 10 of Block 164, all of Blocks 165, 166, 167, 168, 169, 170, 171, 174, 176, 177, 178, 179, 180, 181, 182 and 183, all of Lots 1 to 10 of Block 184, all of Lots 1 to 10 of Block 192, all of Blocks 193, 194, 195, 196, 197, 198, 199, 200, 201, 202 and 203, in ALEXANDER ADDITION; all of Blocks 33, 34 and 36 in FR B ALEXANDER ADDITION; all of Blocks 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 20A, 91 and 108 in KERN PLACE ADDITION; all of Block 3 in MURCHISON TERRACE SUBDIVISION; all of Block 1, 2, 3, 4, 5, 6, 7, 8 and 9 in RIM ROAD ADDITION; and all of Tract 39 in H.F. FISHER SURVEY 239; all in EL PASO, EL PASO COUNTY, TEXAS (Rim-University Neighborhood) pursuant to Sections 20.12.040.W (R-3 Residential District), 20.14.040.W (R-4, R-5 Residential Districts), 20.22.040.T (A-2 Apartment District), 20.24.040.S (A-3 Apartment District), 20.28.040.S (A-O Apartment/Office District), 20.36.040.N (C-1 Commercial District) 20.52.060.I (S-D Special Development District) of Title 20 (Zoning), and the penalty being as

provided in Chapter 20.68 of the El Paso Municipal Code. Zones: R-3, R-4, R-5 (Residential); A-2 and A-3 (Apartment); A-O (Apartment/Office); C-1 (Commercial); and S-D (Special Development). Applicant: City of El Paso, Texas / Representative: Planning, Research & Development, 2 Civic Center Plaza, El Paso, TX 79901.

- H. An Ordinance granting Special Permit No. SU-01012 to allow for a Residential Mixed-Use Development as follows: Parcel I, all of Lots 1 to 10 in Block 114, all of Lots 1 to 10 in Block 127, and all of Lots 1 to 10 in Block 152, ALEXANDER ADDITION, EL PASO, EL PASO COUNTY, TEXAS (1901, 1905 and 1911 Stanton Street, 220 Blacker Avenue, 215 and 217 Blacker Avenue, 2011 and 2021 Stanton Street, 2101, 2109, 2115, and 2119 Stanton Street); Parcel II, the North 7 feet of Lot 7, all of Lot 8, and the South 12 feet of Lot 9, Block 164, ALEXANDER ADDITION, EL PASO, EL PASO COUNTY, TEXAS (2221 Stanton Street) pursuant to Section 20.14.040.X (R-4 Residential District) of Title 20 (Zoning) and the penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Zone: R-4 (Residential). Applicant: City of El Paso, Texas / Representative: Planning, Research & Development, 2 Civic Center Plaza, El Paso, TX 79901.
- I. An Ordinance amending Title 20 (Zoning), Chapters 20.16 (RMH Residential Mobile Home District), 20.18 (PMD Planned Mountain Development District), 20.32 (A-M Apartment and Mobile Home Park District), 20.34 (C-OP Office Park District), 20.36 (C-1 Commercial), 20.38 (C-2 Commercial), 20.40 (C-3 Commercial), 20.42 (C-4 Commercial), 20.44 (C-5 Central Business District), 20.45 (Q Quarry District), 20.46 (M-1 Light Manufacturing District), 20.48 (M-2 Heavy Manufacturing District), 20.50 (M-3 Unrestricted Manufacturing District), 20.58 (P-C Planned Commercial District), and 20.60 (P-I Planned Industrial District) of the El Paso Municipal Code to allow an overlay designation through a special permit process for a neighborhood conservancy overlay, the penalty being as provided in Chapter 20.68 of the Code.

PUBLIC HEARING WILL BE HELD AUGUST 7, 2001 FOR ITEMS F - I

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

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ADDITION TO THE AGENDA

Motion made by Representative Sariñana, seconded by Representative Sumrall and unanimously carried to move to the regular agenda and place at the beginning of the agenda:

RESOLUTION

WHEREAS, the City of El Paso owns and operates the El Paso Zoo; and

WHEREAS, the Paraje Exhibit is the keystone among exhibits at the El Paso Zoo; and

WHEREAS, Mr. José B. Cisneros is a long-term resident of the City of El Paso and has established himself as an internationally renowned artist and author of exceptional ability and talent; and

WHEREAS, Mr. Cisneros has been recognized for his wondrous works by innumerable private and public organizations to the extent that he is considered an El Paso living treasure; and

WHEREAS, he has created distinguished works reflective of the culture and history of El Paso and the U.S.-Mexico Border Region; and

WHEREAS, Mr. Cisneros provided invaluable counsel, expertise, and guidance in the planning, implementation and successful completion of the Paraje Exhibit; and

WHEREAS, he contributed priceless historical art, tiles, and artifacts representative of our Border heritage to the Paraje Exhibit;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City of El Paso and the El Paso Zoo hereby dedicate the Paraje Exhibit at the Zoo to the honor of José B. Cisneros and rename the exhibit "Paraje Cisneros," with special recognition of the memory of his devoted wife Vicenta and daughter Ines, and his family who provided him with the love and support that assisted him in achieving success as an artist, author, husband, father, and exemplary resident of the City of El Paso.

Dr. Lea Hutchinson introduced Mr. Jose B. Cisneros and noted his many contributions. Dr. Hutchinson explained what parajes, or stop overs, were and stated that this exhibit will explain the travels of animals from Mexico to the United States along the Camino Real.

Mr. Jose B. Cisneros expressed his thanks to Mayor Raymond Caballero and Council Members, his friends, Dr. Lea Hutchinson and Dr. Torgerson for giving him this great honor.

Mayor Raymond Caballero noted other famous El Pasoans such as Mr. Carl Hertzog and Mr. Tom Lea and stated that Mr. Cisneros' drawings and paintings are in many books. He remarked that this Community is blessed by Mr. Cisneros, his talents and his great humanity. He remarked that El Paso is honored having Mr. Cisneros in our midst and that this exhibit will be in existence for many, many years to come.

Dr. Hutchinson explained there are tiles of the travelers which were once in New Mexico and which were returned to Texas through the efforts of Mr. Cisneros and the zoo.

Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000/2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

SPORTS PROGRAMMING

NO. 010262, SUB-OBJECT 202215

1. **CONTRACTOR:** ASA District 4 Officials, Officials for Girls Fastpitch Softball
DATES: July 7, 2001 thru August 31, 2001

RATE PER GM: \$10.00
MAXIMUM AMT: \$5,000.00
CONTRACT: 2000/2001-222

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **VERONICA ESCOBAR** to develop effective relationships with the media at the biweekly rate of \$951.92; not to exceed 20 hours per week. The contract period shall be from July 27, 2001 through July 26, 2002 and this contract is subject to the approval of the City's Civil Service Commission.

Representative Escobar stated that he would be abstaining from voting on this Resolution.

Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried to approve the above Resolution.

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*Motion made, seconded and unanimously carried to re-appoint Ron Clark to the Twelve Travelers Review Committee by Representative Medina.

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*Motion made, seconded and unanimously carried to appoint Michael Wyatt to the Arts Resources Board by Mayor Raymond C. Caballero.

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*Motion made, seconded and unanimously carried to appoint Miguel A. Torres to the Twelve Travelers Review Committee by Mayor Raymond C. Caballero.

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Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

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|-----------------|--|
| Section 551.071 | CONSULTATION WITH ATTORNEY |
| Section 551.072 | DELIBERATION REGARDING REAL PROPERTY |
| Section 551.073 | DELIBERATION REGARDING PROSPECTIVE GIFTS |
| Section 551.074 | PERSONNEL MATTERS |
| Section 551.076 | DELIBERATION REGARDING SECURITY DEVICES |

- A. Maria Huerta, et al vs. Officer Dirk Hiltl, et al; Cause No. EP-00-CA-0375-EP (551.071)
- B. Victor Fematt, et al. vs. The City of El Paso, et al.; Cause No. 2001-1101, Our File No. 01-S-19 (551.071)

Motion made by Representative Sumrall, seconded by Representative Power and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

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No action was taken regarding Maria Huerta, et al vs. Officer Dirk Hiltl, et al; Cause No. EP-00-CA-0375-EP (551.071)
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Motion made by Representative Medina, seconded by Representative Cook and carried that the City Attorney be **AUTHORIZED SETTLEMENT AUTHORITY** in the lawsuit entitled **Victor Fematt, et al v. City of El Paso, et al.**; Cause No. 2001-1101, Our File No. 01-S-19; as recommended by the City Attorney.

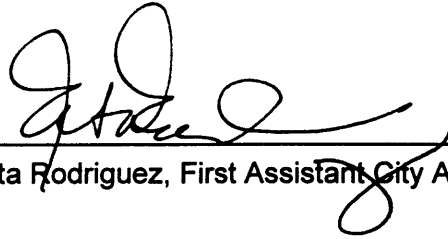
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Motion made by Representative Sariñana, seconded by Representative Cook and unanimously carried t
adjourn this meeting at 11:15 a.m.

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Carole Hunter

Carole Hunter, City Clerk



Rita Rodriguez, First Assistant City Attorney